

USDC SDNY DOCUMENT ELECTRONICALLY FILED DOC #: DATE FILED: 12/06/2022
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UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

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MARK METZLER, individually and on behalf of	:	
all others similarly situated,	:	
	:	
Plaintiff,	:	
	:	
-against-	:	21-CV-9798 (VEC)
	:	
	:	<u>ORDER</u>
PURE ENERGY USA LLC,	:	
	:	
	:	
Defendant.	:	
-----X		

VALERIE CAPRONI, United States District Judge:

WHEREAS on February 7, 2022, Plaintiff filed an Amended Complaint, *see* Dkt. 23;


WHEREAS on March 8, 2022, Defendant moved to dismiss the Amended Complaint for failure to state a claim and for lack of standing, *see* Dkt. 25–26; and

WHEREAS Defendant’s motion to dismiss remains pending before the Court.

IT IS HEREBY ORDERED that the parties must appear in person for oral argument on **Friday, December 16, 2022 at 10:00 a.m.** in Courtroom 443 of the Thurgood Marshall Courthouse, 40 Foley Square, New York, New York, 10007.

**SO ORDERED.**

**Date: December 6, 2022**  
**New York, New York**

  
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**VALERIE CAPRONI**  
**United States District Judge**